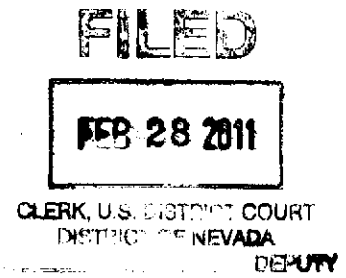


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10 **UNITED STATES DISTRICT COURT**  
11 **DISTRICT OF NEVADA**

12 UNITED STATES OF AMERICA,

Case No. 2:06-cr-00186-PMP (PAL)

13 Plaintiff,

14 v.

15 POWER COMPANY INC., doing business as  
16 THE CRAZY HORSE TOO, and  
17 FREDERICK JOHN RIZZOLO,

18 Defendants.

19 **ORDER OF SALE**

20 On February 11, 2011, the Court heard argument (Doc. #400) from the parties relating to  
21 the Joint Statement of Canico Capital Group, LLC, and the Henrys Setting Forth Process for  
22 Effecting Sale by the Deadline Imposed; in the alternative, Offer of Alternative Proposals by  
23 which to Accomplish the Sale (Doc. #394, filed January 24, 2011) and the United States of  
24 America's Sale of the Forfeited Property Pursuant to Court Order (Doc. #395, filed January 24,  
25 2011). The Court having continued the hearing of February 11, 2011 on the motions before it to  
26 February 24, 2011 and further ordered that the parties appear on February 24, 2011 (Doc. #400);  
27 Daniel G. Bogden, United States Attorney for the District of Nevada, and Daniel D.  
28 Hollingsworth, Assistant United States Attorney, appearing on behalf of the United States of

1 America, Michael R. Mushkin, Esq. appearing on behalf of Canico Capital Group, LLC, and  
2 both C. Stanley Hunterton, Esq. and Phillip R. Erwin, Esq. appearing on behalf of Kirk and Amy  
3 Henry (Doc. #411).

4  
5 The United States of America ("United States") requested the withdrawal of the United  
6 States of America's Motion to Stay Foreclosure (Doc. #122) and requested the Court to vacate  
7 the order staying the foreclosure (Doc. #167) that the Court ordered on February 28, 2008,  
8 which was entered on February 29, 2008. The United States of America also requested the  
9 Court to modify the Order (Doc. #386), page 10, lines 25-28 through page 11, lines 1-4,  
10 removing the requirement that the United States sell the property and allowing Canico Capital  
11 Group, LLC, to foreclose on the property. Doc. #411.

12  
13 Having heard from the Henrys, Canico Capital Group, LLC, and the United States,

14 The Court specifically finds that the foreclosure sale by Canico Capital Group, LLC, is a  
15 sale for all purposes, including the plea agreements (Doc. #7 and Doc. #8), the Second Amended  
16 Order of Forfeiture (Doc. #242), and the Order (Doc. #386, filed December 22, 2010) amending  
17 the Second Amended Order of Forfeiture which substituted Canico Capital Group, LLC for  
18 Security Pacific Bank and ordered that Canico Capital Group, LLC retain Security Pacific  
19 Bank's priority position.  
20

21 IT IS THEREFORE ORDERED that the United States of America's Motion to Stay  
22 Foreclosure (Doc. #122) is withdrawn.

23 IT IS FURTHER ORDERED that the order granting the United States of America's  
24 Motion to Stay Foreclosure (Doc. #167) is vacated only as to the stay.

25 IT IS FURTHER ORDERED that Canico Capital Group, LLC, will foreclose on the  
26 property.  
27


28 IT IS FURTHER ORDERED that Order (Doc. #386), page 10, lines 25-28 through page

1 11, lines 1-4, is changed as follows:

2 IT IS FURTHER ORDERED that Canico Capital Group, LLC, will conduct a non-  
3 judicial foreclosure sale of the property under Nevada law, *to be completed by*  
4 *not later than July 15, 2011.*

5 IT IS FURTHER ORDERED that the foreclosure sale by Canico Capital Group, LLC, is  
6 a sale for all purposes, including the plea agreements (Doc. #7 and Doc. #8), the Second  
7 Amended Order of Forfeiture (Doc. #242), and the Order (Doc. #386, filed December 22, 2010)  
8 amending the Second Amended Order of Forfeiture which substituted Canico Capital Group,  
9 LLC for Security Pacific Bank and ordered that Canico Capital Group, LLC retain Security  
10 Pacific Bank's priority position.


11 DATED: February 28, 2011.

12   
13

14 PHILIP M. PRO  
15 UNITES STATES DISTRICT JUDGE

16 Submitted by:

17 MICHAEL R. MUSHKIN & ASSOCIATES

18  
19 By:   
20

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